

<b>CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL</b> Submit an original and a duplicate for fee processing (Only for Continuation or Divisional Applications Under 37 C.F.R. § 1.53(d))		<b>Docket No.</b> <b>044198.0000</b>
<b>First Named Inventor</b>	<b>Examiner</b>	<b>Group/Art Unit</b>
<b>Frank H. Portugal</b>	<b>J. Souaya</b>	<b>1655</b>

#17  
B. Webb  
6/29/01

**Address to:**  
**BOX CPA**  
**Commissioner for Patents**  
**Washington, D.C. 20231**

This is a request for filing a ☒ continuation, or ☐ divisional application under 37 C.F.R. § 1.53(d), (continued prosecution application (CPA)) of prior Application No. 09/027,439 filed on February 20, 1998, and entitled:

**Compositions and Methods for Differentiating Among *Shigella* Species and *Shigella* from *E. Coli* Species**

The above-identified prior non-provisional application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

1. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 C.F.R. § 1.116 in the prior non-provisional application.
2. ☒ A Preliminary Amendment is enclosed.
3. ☐ This application is being filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
  - a. ☐ **Delete** the following inventor(s) named in the prior non-provisional application:
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is as follows:
  - a. ☐ The power of attorney is to:

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- b. ☐ Please remove as power of attorney:  
 c. ☐ Please add as power of attorney:  
 d. ☐ Information Disclosure Statement (IDS) is enclosed:  
 e. ☐ PTO-1449  
 f. ☐ Copies of IDS Citations

5. The fee for this application is calculated as follows:

CLAIMS AS FILED						
	Claims Filed	Basic Fee Claims	Extra	Rate		Amount
				Large Entity	Small Entity	
Total Claims		20	0	\$ 18.00	\$ 9.00	\$ 0.00
Independent Claims	3	3	0	\$ 80.00	\$ 40.00	\$ 0.00
First Presentation of Multiple Dependent Claims				\$ 270.00	\$ 135.00	\$ 0.00
<b>BASIC FEE</b>				<b>\$ 710.00</b>	<b>\$ 355.00</b>	<b>\$ 355.00</b>
Extension Fee: a)	One Month			\$ 110.00	\$ 55.00	\$ 445.00
	b) Two Months			\$ 390.00	\$ 195.00	
	c) Three Months			\$ 890.00	\$ 445.00	
	d) Four Months			\$ 1390.00	\$ 695.00	
	e) Five Months			\$ 1890.00	\$ 945.00	
<b>TOTAL FILING FEE</b>						<b>\$ 800.00</b>

- a. ☒ Small entity statement is claimed.  
 b. ☐ Small entity statement is enclosed.  
 c. ☐ A small entity statement was filed in prior non-provisional Application No. 09/027,439 and such status is still proper and desired.  
 d. ☐ Small entity status is no longer claimed.
6. ☒ Other: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
7. ☒ Credit Card Payment Forms for the amounts **\$ 355.00** and **\$ 455.00** are enclosed. In the event any variance exists between the amount enclosed and the required Patent Office charges or additional claim fees, please charge any variance using the Credit Card Payment Form enclosed for "any required fee."

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8. ☐ The Commissioner is hereby authorized to credit any overpayment or charge the following fees to Deposit Account No. \_\_\_\_\_. A duplicate of this sheet is attached for accounting purposes.
9. ☐ The prior application is assigned of record to: \_\_\_\_\_, recorded on \_\_\_\_\_ at Reel \_\_\_\_\_, Frame \_\_\_\_\_.
10. Address all future communications to:
- ☐ **CUSTOMER NUMBER**
- ☒ Frank H. Portugal  
9105 Fall River Lane  
Potomac, MD  
(301) 299-6380 (telephone)  
(301) 299-1391 (facsimile)

It is understood that the filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. § 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

Respectfully submitted,

By: Frank H. Portugal  
Frank H. Portugal  
Applicant

Dated: /

## FAX

**To:** Group for Gary Jones/Jehanne Souaya

**From:** Frank Portugal

**Date:** June 20, 2001

**Pages**  
**(including cover):** 10

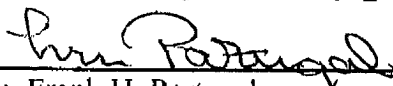
**Message:**

I hereby certify that the following papers are being facsimile transmitted to the United States Patent and Trademark Office

On June 20, 2001

- 1) CPA Request transmittal (3 pages)
- 2) Preliminary Amendment (2 pages)
- 3) Credit Card Payment Forms (3 pages) for
  - a) 3 month Extension of time
  - b) Basic filing fee
  - c) other required fees
- 4) Receipt for facsimile transmitted CPA (1 page)

Total pages including this cover page: 10

  
Signed: Frank H. Portugal